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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 TRUSTEES OF THE CONSTRUCTION
11 INDUSTRY AND LABORERS HEALTH
AND WELFARE TRUST, *et al.*,

12 Plaintiffs,

13 v.

14 FLOPPY MOP, INC.,

15 Defendant.
16

Case No. 2:10-CV-01603-KJD-PAL

ORDER

17 Before the Court is Defendant Floppy Mop, Inc.'s ("Defendant") Motion to Set Aside Default
18 Judgment (#26). Plaintiffs responded (#28), but Defendant has failed to reply.

19 Defendant's motion must be denied because Defendant is a corporation proceeding in federal
20 court *pro se*. "A corporation may appear in federal court only through licensed counsel." United
21 States v. High Country Broad. Co., Inc., 3 F.3d 1244, 1245 (9th Cir. 1993) citing Rowland v.
22 California Men's Colony, Unit II Men's Advisory Council, 506 U.S. 194, 202 (1993).

23 Further, Defendant's motion was filed more than thirty months after the entry of default
24 judgment. Although no basis for Defendant's motion is presented to the Court, default judgment may
25 be set aside only "for good cause," or under Rule 60(b). Fed. R. Civ. P. 55(c). Because Defendant
26 cannot proceed *pro se*, the Court declines to reach analysis under either "good cause" or Rule 60(b).

1 However, given the facts alleged and the time constraints in Rule 60(b), the Court lacks confidence
2 that either standard could be met.

3 Lastly, even if the Court were to construe this motion as being made by nonparties Sheryl
4 Archie ("Archie") and James McKinney ("McKinney"), it is unclear that these individuals have
5 standing.

6 Accordingly, Defendant's Motion to Set Aside Default Judgment (#26) is **HEREBY**
7 **DENIED** without prejudice.

8 DATED this 18th day of October 2013.

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12 Kent J. Dawson
13 United States District Judge
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